

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

KENNETH R. WALKER,
Plaintiff

v.

MAIN STREET ACQUISITION CORP., and
GORDON & WEINBERG, P.C.,
Defendants

: CIVIL ACTION
:
:
: NO.
:
:
: JURY TRIAL DEMANDED

NOTICE OF REMOVAL

Defendant Main Street Acquisition Corp. (“MSA”), by its undersigned counsel, and with the consent of defendant Gordon & Weinberg, P.C., hereby petitions this Court as follows, pursuant to 28 U.S.C. § 1441(a):

1. MSA is a defendant in an action pending in the Commonwealth of Pennsylvania, Court of Common Pleas, Allegheny County, Case No. GD13-003143 (“the State Court Action”). A true and correct copy of the Complaint in the State Court Action is attached hereto as Exhibit “A”.

2. Plaintiff in the State Court Action is Kenneth R. Walker (“plaintiff”). See Exhibit “A”.

3. Plaintiff’s State Court Action alleges violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, et seq.

4. The State Court Action involves a question of federal law. Pursuant to 28 U.S.C. § 1331, “The district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.”

5. Pursuant to 28 U.S.C. § 1441(a), “[a]ny civil action brought in a State court of which the district courts of the United States have original jurisdiction, may be removed by the

defendant or the defendants, to the district court of the United States for the district and division embracing the place where such action is pending.”

6. Since this case arises out of an alleged violation of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, et seq., defendant MSA may properly remove the State Court Action to this Court based on 28 U.S.C. § 1441(a).

7. This Notice has been filed with the Court within thirty (30) days after purported service of the Complaint on defendant MSA.

WHEREFORE, defendant MSA prays that the State Court Action be removed from the Commonwealth of Pennsylvania, Court of Common Pleas, Allegheny County, Case No. GD13-003143, to this Court for proper and just determination.

FINEMAN KREKSTEIN & HARRIS, P.C.

By: /S/ Richard J. Perr
RICHARD J. PERR, ESQUIRE (PA 72883)
JENNIFER TATUM ROOT, ESQUIRE (PA 308693)
BNY Mellon Center
1735 Market Street, Suite 600
Philadelphia, PA 19103-7513
(v) 215-893-9300; (f) 215-893-8719
e-mail: rperr@finemanlawfirm.com
jroot@finemanlawfirm.com
Attorneys for Defendant Main Street Acquisition Corp.

Dated: April 11, 2013

CERTIFICATE OF SERVICE

I, RICHARD J. PERR, ESQUIRE, hereby certify that on or about this date, I served a true and correct copy of the foregoing electronically, or by first class mail, postage prepaid, or telecopy on the following:

Clayton S. Morrow, Esquire
Morrow & Artim, P.C.
Mitchell Building, 7th Floor
304 Ross Street
Pittsburgh, PA 15219
(v) 412-281-1250; (f) 412-386-3184
clay@pacreditcardlaw.com

and

Jeffrey L. Suher, Esquire
Jeffrey L. Suher, P.C.
4328 Old William Penn Highway
Suite 2J
Monroeville, PA 15146
(v) 412-374-9005; (f) 412-374-0799
jsuherlaw@me.com

Attorneys for Plaintiff

Ronald S. Canter, Esquire
Law Offices of Ronald S. Canter, LLC
200 A Monroe Street, Suite 104
Rockville, MD 20850
(v) 301-424-7490; (f) 301-424-7470
rcanter@roncanterllc.com

Attorneys for Gordon & Weinberg, P.C.

/S/ Richard J. Perr

RICHARD J. PERR, ESQUIRE

Dated: April 11, 2013